IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No. 435 of 1995

For Approval and Signature:

HON'BLE MISS JUSTICE R.M.DOSHIT

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to civil judge ?

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PRAGJI KHODABHAI - Applicant(s)

Versus

VASANTBEN MANSINH JADAV - Opponent(s)

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Appearance :

MR SURESH M SHAH for

MR MEHUL S SHAH for Petitioners

MR HARESH H PATEL for Respondent

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CORAM :HON'BLE MISS JUSTICE R.M.DOSHIT

Date : 13/07/2005

ORAL JUDGMENT

Feeling aggrieved by the judgment and order dated 30th April, 1994 passed by the learned Assistant Judge, Rajkot in Civil Misc. Appeal No. 38 of 1994, the appellant-defendant in Regular Civil Suit No. 35 of 1993, has preferred the present Revision Application under Section 115 CPC. It appears that in Regular Civil Suit No. 35 of

1993, pending before the Court of Small Causes, Rajkot, by Order dated 28th January, 1994 made below Application Exh.5, *interim* injunction was issued against the defendant-landlord restraining him from evicting the plaintiff from the rented premises forcibly. Feeling aggrieved, the defendant-landlord had preferred the above referred Civil Misc. Appeal No. 38 of 1994 which came to be rejected by the lower appellate Court. Therefore, the present Revision Application.

Upon inquiry made with the learned District Judge, Rajkot, the registry has been informed that, the Regular Civil Suit No. 35 of 1993 pending on the file of the Judge, Small Causes Court, Rajkot has been disposed of on 11th February, 2000 by compromise.

In view of the disposal of the suit, this Revision Application shall not survive. Civil Revision Application is accordingly disposed of.

{Miss R.M Doshit, J.}

*Prakash**